THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.24670 of 2005

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Dated:22.11.2005

Between:

Mr.M.Y.A.Baig, S/o.Hadi Ali Baig,
R/o.8-2-674/1, Road No.13, Banjarahills, Hyderabad-34.

..... PETITIONER

AND

Municipal Corporation of Hyderabad, Rep by its Commissioner, Tank

Bund , Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.24670 of 2005

ORDER:

The petitioner is a resident of Road No.13, Banjara Hills, Hyderabad. He alleges that the fourth respondent has taken up construction of a multistoried complex at Premises No.8-2-674/1/H/A/1, Road No.13, Banjara Hills, Hyderabad, even without obtaining any building permission from the first respondent. It is further alleged that the fourth respondent is making construction in violation of all norms and building regulations. Therefore, a writ of Mandamus declaring the action of respondents 1 to 3 in permitting the illegal construction by the fourth respondent is sought, and a consequential direction is also sought to demolish the illegal construction.

The learned Standing Counsel for the Municipal Corporation of Hyderabad, after getting instructions in the matter, submits that the fourth respondent applied to the Corporation for building permission, that building permission was granted on 24.11.2004, and that if the fourth respondent violates the building permission or any building bylaws, necessary action would be taken against the fourth respondent.

In view of the submission made by the learned Standing Counsel, the Writ Petition

must be held to have filed without any factual foundation. However, it is made clear, if the fourth respondent makes any construction in deviation of the building permission or against the building bylaws, it shall be open to the first respondent to take necessary action against the fourth respondent in accordance with law.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

22.11.2005

vs